

Notice of Allowability

Application No.

09/847,323

Examiner

Thomas A. Dixon

Applicant(s)

CORNWELL, TREVOR

Art Unit

3639

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 4/11/06.
2. ☒ The allowed claim(s) is/are 1,7,8,11,1214,15,18,20-24,26-36,38-54,55,59,61,63,64,66-72.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

1. The amendment of 4/11/06 has been entered, rejected claim 56 has been cancelled.

Allowable Subject Matter

2. Claims 1 and 59 and their dependents are allowable.
3. The following is a statement of reasons for the indication of allowable subject matter:

As per Claims 1 and 59

The prior art of record, specifically Rosenblat ('548) in view of Daughtrey ('226), Ahlstrom ('357), McCowan ('200), Shemesh ('939) and AirCharter do not disclose or fairly teach:

identifying a suitable aircraft by:

- 1) comparing the itinerary information with the charter aircraft information,
- 2) determining which of the charter aircraft are compatible with airports within a prescribed radius of the user's at least one departure location,
- 3) determining which of the charter aircraft are compatible with airports within a prescribed radius of the user's at least one destination location,
- 4) comparing the itinerary information with the charter aircraft information by
 - a) determining the status of each charter aircraft, wherein the status of each charter aircraft is either a positive or a negative status,
 - b) determining whether each charter aircraft has appropriate flight characteristics, and
 - c) determining whether each charter aircraft has a present location within the prescribed radius of the user's designated at least one departure location, and
- 5) eliminating charter aircraft with insufficient seating capacity; determining a charter price for at least one of the identified suitable charter aircraft by:
 - 1) obtaining a cost of operating each of the suitable charter aircraft from the charter aircraft information database,
 - 2) calculating a flight factor for flying each of the suitable charter aircraft from the user's at least one departure location to the user's at least one destination location, wherein the flight factor is at least one of an approximate flight time between the user's at least one departure location and the user's at least one destination location and an approximate flight distance between the user's at least one departure location and the user's at least one destination location,

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- 3) calculating a total charter price based on the operating cost and the calculated flight factor for each of the suitable charter aircraft.

The claims that depend from the above allowable claims are allowable for the same reasons.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas A. Dixon whose telephone number is (571) 272-6803. The examiner can normally be reached on Monday - Thursday 6:30 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Thomas A. Dixon
Primary Examiner
Art Unit 3639

May 06